

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

VS.

ALVARO RODOLFO MARTINEZ-LAYTON;
aka RODOLFO MARTINEZ ALVARO

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CRIMINAL ACTION NO. B-08-1405

ORDER

BE IT REMEMBERED on this 20th day of April, 2009, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed January 14, 2009, wherein the defendant Alvaro Rodolfo Martinez-Layton waived appearance before this Court and appeared before the United States Magistrate Judge Felix Recio for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Alvaro Rodolfo Martinez-Layton to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant Alvaro Rodolfo Martinez-Layton guilty of the offense of alien unlawfully found in the United States after deportation, having been convicted of an aggravated felony, in violation of 8 U.S.C. § 1326(a) and (b).

Signed this 20th day of April, 2009.

A handwritten signature in black ink, appearing to read 'Andrew S. Hanen', is written over a horizontal line.

Andrew S. Hanen
United States District Judge